Appointment of judges on population basis

†4158. SHRI RAM JETHMALANI:
SHRI KAPIL SIBAL:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that one of the reasons for delay in disposing cases in the country is insufficient number of Judges;

(b) if so. Government's reaction thereto;

(c) the number of people for which a Judge is appointed in the country, at present; and

(d) how many Judges must be appointed on the basis of population to facilitate the smooth functioning of judicial system?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) Yes, Sir.

(b) Both the Government and the judiciary are concerned with the insufficient number of judges. The Judge strength in the High Court is reviewed once in three years. The Judge strength in the District/Subordinate Court is worked out on the basis of yardsticks fixed by the concerned High Court. The posts of Judges/Judicial Officers alongwith supporting staff are created by the concerned State Governments. These posts are also filled up by the concerned State Govemments/UT Administration/High Courts as per their rules and procedure.

(c) At present, there is one judge for a population of 74,571.

(d) The Eleventh Law Commission in its 120th Report on "Manpower Planning in Judiciary: A Blue Print" in July, 1987, has recommended that the present strength of 10.5 Judges per million population be increased to 50 Judges per million population in a phased manner. The 120th Report of the Law Commission which had recommended increase in the number of Judicial Officers was circulated amongst all the State Government/UT Administration/High Courts for necessary action.at their end.

The Department-related Parliamentary Standing Committee on Home Affairs in its 85th Report on "Law's Delays: Arrears in Courts" has endorsed

†Original notice of the question was received in Hindi.

the Law Commission's recommendations and suggested that variations can be made for different jurisdictions on the basis of pendency, rate of disposal and other relevant factors in consultation with the judiciary.

The Supreme Court in its judgement dated 21.3.2002 in W.P. (Civil) No 1022/89. All India Judges Association *Vs.* Union of India & others has suggested that the increase in the judge strength to 50 judges per 10 lakh people should be effected and implemented with the filling of the posts in a phased manner to be determined and directed by the Union Ministry of Law, but this process should be completed and the increased vacancies and posts filled within a period of five years from today.

Merging of companies

†4159. SHRI DILIP SINGH JUDEV; Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number and names of companies of corporate sector finally merged during the last three years;

(b) the details of assets and liabilities of the companies they merged into; and

(c) the details of the companies proposed and under consideration for merger?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) to (c) The information is being collected and will be laid on the Table of the House.

Shortage of Judges in High Courts

4160. PROF. M. SANKARALINGAM: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there is any shortage of judges in the High Courts of Tamil Nadu and other States due to which a large number of cases are pending; and

(b) if so, whether Government are contemplating.to fill up such posts?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) As on May 2, 2002, against the approved Judge strength of 647 (including 43 new posts) of the. High Courts, there were 492 Judges in position leaving 155 posts vacant. A statement showing the number . of vacancies in each High Court is annexed. *(See* below).

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